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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,368	03/29/2001	Michimoto Sakai	Q63744	2711

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EXAMINER
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RIES, LAURIE ANNE

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<b>Application No.</b> 09/820,368	<b>Applicant(s)</b> SAKAI, MICHIMOTO	
	<b>Examiner</b> Laurie Ries	<b>Art Unit</b> 2176	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 8-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

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| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)<br>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)<br>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____.<br>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)<br>6) <input type="checkbox"/> Other: _____. |
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### **DETAILED ACTION**

- This action is responsive to communications: amendment, filed 10/4/2004, to the original application, filed 3/29/2001.
- The rejection of claims 1 and 7-9 under 35 U.S.C. 112 has been withdrawn as necessitated by amendment.
- The rejection of claims 7 and 9 under 35 U.S.C. 101 has been withdrawn as necessitated by amendment.
- Claim 1 stands rejected under 35 U.S.C. 101.
- Applicant's arguments, see amendment, filed 10/4/2004, with respect to the rejection(s) of claim(s) 1-15 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of newly found prior art.
- Claim 7 has been cancelled.
- Claims 1-6 and 8-15 are pending.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claim 1, the language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. As written, the method disclosed in claim 1 could be carried out mentally and/or with pencil and paper.

Dependent claims 2-6 are rejected for fully incorporating the deficiencies of the base claim from which they depend. Also, dependent claims 4-6 cite the limitation "outputting the data contents". The term "outputting" could be interpreted as speaking, writing on paper, or another form of output that would not be tied to a technological art, environment or machine.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 8-10, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagashima (U.S. Patent 5,157,606) in view of Powell (U.S. Patent 6,157,905).

As per claims 1 and 8, Nagashima discloses a computer readable medium and a method of converting document data including determining a converting process based on the original locale information and objective locale information (See Nagashima, Column 3 lines 48-61), and converting data contents of the original item information by the converting process (See Nagashima, Column 4, lines 6-10). Nagashima does not disclose expressly identifying original locale information of a document and the original item information of the document. Powell discloses identifying the original locale information of a document (See Powell, Column 5, lines 8-12) and identifying the original item information of a document (See Powell, Column 13, lines 4-8). Nagashima and Powell are analogous art because they are from the same field of endeavor of translating documents. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the identification of original locale and item information of Powell with the converting method of Nagashima. The motivation for doing so would have been to accommodate further processing of the document by natural language processing tools, such as spelling checkers, which require identification of the language of the document (See Powell, Column 1, lines 34-57). Therefore, it would have been obvious to combine Powell with Nagashima for the benefit of further processing of the document by natural language processing tools to obtain the invention as specified in claims 1 and 8.

As per claim 2, Nagashima and Powell disclose the limitations of claim 1 as described above. Nagashima also discloses identifying item attribute information of the original item information (See Nagashima, Column 8, lines 7-10), where the converting

process is determined based further on the item attribute information (See Nagashima, Column 7, lines 65-67, and Column 8, lines 1-23).

As per claim 9, Nagashima discloses a converting device for converting document data including a determining means for determining a converting process based on the original locale information and objective locale information (See Nagashima, Column 3, lines 48-61) and a converting means for converting data contents of the original item information by the converting process (See Nagashima, Column 4, lines 6-10) Nagashima does not disclose expressly an identifying means for identifying original locale information and original item information of a document. Powell discloses an identifying means for identifying original locale information and original item information of a document (See Powell, Column 5, lines 8-12, and Column 13, lines 4-8). Nagashima and Powell are analogous art because they are from the same field of endeavor of translating documents. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the means for identifying of original locale and item information of Powell with the converting method of Nagashima. The motivation for doing so would have been to accommodate further processing of the document by natural language processing tools, such as spelling checkers, which require identification of the language of the document (See Powell, Column 1, lines 34-57). Therefore, it would have been obvious to combine Powell with Nagashima for the benefit of further processing of the document by natural language processing tools to obtain the invention as specified in claim 9.

As per claim 10, Nagashima and Powell disclose the limitations of claim 9 as described above. Nagashima also discloses identifying item attribute information of the original item information (See Nagashima, Column 8, lines 7-10).

As per claim 14, Nagashima and Powell disclose the limitations of claim 10 as described above. Nagashima also discloses a converting process storing means for inputting and storing information required for determining the converting process (See Nagashima, Figure 3, element 15, and Column 3, lines 25-47).

Claims 3-6, 11-13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagashima (U.S. Patent 5,157,606) in view of Powell (U.S. Patent 6,157,905) as applied to claims 1 and 10 above, and further in view of Kugimiya (U.S. Patent 5,587,902).

As per claim 3, Nagashima and Powell disclose the limitations of claim 1 as described above. Nagashima and Powell do not disclose expressly identifying output location information of the original item information and outputting the data contents which has been converted based on the output location information. Kugimiya discloses identifying the output location information of the original item information and outputting the data contents which has been converted based on the output location information (See Kugimiya, Figures 12 and 13, Column 8, lines 59-67, and Column 9, lines 1-30). Nagashima, Powell, and Kugimiya are analogous art because they are from the same field of endeavor of translating documents. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the

identification of the output location information of Kugimiya with the converting method of Nagashima and Powell. The motivation for doing so would have been to determine the item position in relation to the other items for use in dictionary lookup processing (See Kugimiya, Column 9, lines 17-38). Therefore, it would have been obvious to combine Kugimiya with Nagashima and Powell for the benefit of determining the item position in relation to the other items to obtain the invention as specified in claim 3.

As per claim 4, Nagashima and Powell disclose the limitations of claim 1 as described above. Nagashima and Powell do not disclose expressly identifying format information of the document and outputting the data contents which has been converted based on the format information. Kugimiya discloses identifying format information of the document and outputting the data contents which has been converted based on the format information (See Kugimiya, Column 2, lines 10-23). Nagashima, Powell, and Kugimiya are analogous art because they are from the same field of endeavor of translating documents. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the identification of the format information of the document of Kugimiya with the converting method of Nagashima and Powell. The motivation for doing so would have been to efficiently translate a document including markup signs (See Kugimiya, Column 2, lines 5-7). Therefore, it would have been obvious to combine Kugimiya with Nagashima and Powell for the benefit of efficiently translating a document including markup signs to obtain the invention as specified in claim 4.

As per claim 5, Nagashima and Powell disclose the limitations of claim 1 as described above. Nagashima and Powell do not disclose expressly identifying subject format information of the original item information and outputting the data contents which has been converted based on the subject format information. Kugimiya discloses identifying subject format information of the original item information and outputting the data contents which has been converted based on the subject format information (See Kugimiya, Column 5, lines 25-52). Nagashima, Powell, and Kugimiya are analogous art because they are from the same field of endeavor of translating documents. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the identification of subject format information of the original item information of Kugimiya with the converting method of Nagashima and Powell. The motivation for doing so would have been to remove any ambiguity and supply any omitted parts included in the input sentence (See Kugimiya, Column 5, lines 25-27). Therefore, it would have been obvious to combine Kugimiya with Nagashima and Powell for the benefit of removing ambiguity and supplying omitted parts included in the input sentence to obtain the invention as specified in claim 5.

Claim 6 is rejected on the same basis as claims 2 through 5.

As per claim 11, Nagashima and Powell disclose the limitations of claim 9 as described above. Nagashima and Powell do not disclose expressly outputting means for outputting the data contents converted by the converting means, where the identifying means also identifies output location information of the original item information and outputting means outputs the data information. Kugimiya discloses

outputting means for outputting the data contents converted by the converting means, where the identifying means also identifies output location information of the original item information and outputting means outputs the data information (See Kugimiya, Figures 12 and 13, Column 8, lines 59-67, and Column 9, lines 1-30). Nagashima, Powell, and Kugimiya are analogous art because they are from the same field of endeavor of translating documents. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include outputting means including the identification of output location information of Kugimiya with the converting method of Nagashima and Powell. The motivation for doing so would have been to determine the item position in relation to the other items for use in dictionary lookup processing (See Kugimiya, Column 9, lines 17-38). Therefore, it would have been obvious to combine Kugimiya with Nagashima and Powell for the benefit of determining the item position in relation to the other items to obtain the invention as specified in claim 11.

As per claim 12, Nagashima and Powell disclose the limitations of claim 9 as described above. Nagashima and Powell do not disclose expressly including outputting means for outputting the data contents converted by the converting means, where the identifying means also identifies format information of the document, and the outputting means outputs the data contents based on the format information. Kugimiya discloses including outputting means for outputting the data contents converted by the converting means, where the identifying means also identifies format information of the document, and the outputting means outputs the data contents based on the format information (See Kugimiya, Column 2, lines 10-23). Nagashima, Powell, and Kugimiya are

analogous art because they are from the same field of endeavor of translating documents. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the outputting means including the identification of format information of the document of Kugimiya with the converting method of Nagashima and Powell. The motivation for doing so would have been to efficiently translate a document including markup signs (See Kugimiya, Column 2, lines 5-7). Therefore, it would have been obvious to combine Kugimiya with Nagashima and Powell for the benefit of efficiently translating a document including markup signs to obtain the invention as specified in claim 12.

As per claim 13, Nagashima and Powell disclose the limitations of claim 9 as described above. Nagashima and Powell do not disclose expressly including outputting means for outputting the data contents converted by the converting means, where the identifying means also identifies subject format information of the original item information, and the outputting means outputs the data contents based on the subject format information. Kugimiya discloses including outputting means for outputting the data contents converted by the converting means, where the identifying means also identifies subject format information of the original item information, and the outputting means outputs the data contents based on the subject format information (See Kugimiya, Column 5, lines 25-52). Nagashima, Powell, and Kugimiya are analogous art because they are from the same field of endeavor of translating documents. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the outputting means including the identification of subject format information of

the original item information of Kugimiya with the converting method of Nagashima and Powell. The motivation for doing so would have been to remove any ambiguity and supply any omitted parts included in the input sentence (See Kugimiya, Column 5, lines 25-27). Therefore, it would have been obvious to combine Kugimiya with Nagashima and Powell for the benefit of removing ambiguity and supplying omitted parts included in the input sentence to obtain the invention as specified in claim 13.

Claim 15 is rejected on the same basis as claims 11-14.

### ***Response to Arguments***

With regard to the rejection of claim 1 under 35 U.S.C. 101, and in response to applicant's argument that claims directed to "software" features are more appropriately embodied in a computer readable medium, while the Office agrees that "software" features are more appropriately embodied in a computer readable medium, the language of the claim 1 does not exclude the interpretation of the method disclosed therein being performed by-hand as opposed to being embodied in a computer readable medium; therefore, as written, the claim is interpreted as not being tangibly embodied and, as a result, is considered non-statutory under 35 U.S.C. 101.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- Shiu (U.S. Publication 2002/0019839 A1) discloses providing multi-lingual content in an online environment.
- Anwyl (U.S. Patent 5,338,976) discloses an interactive language conversion system.
- Sugimura (U.S. Patent 5,987,403) discloses document conversion apparatus for carrying out a natural conversion.
- Lakritz (U.S. Patent 6,526,426 B1) discloses a translation management system.
- Nakayama (U.S. Patent 5,377,280) discloses a system for automatic language determination of European script documents.
- Bell (U.S. Patent 6,275,978 B1) discloses a system and method for term localization differentiation using a resource bundle generator.
- Atkin (U.S. Patent 6,490,547 B1) discloses just in time localization.
- Och discloses improving statistical natural language translation with categories and rules.
- Kim discloses structural feature selection for English-Korean statistical machine translation.

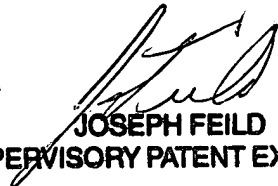
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. The examiner can normally be reached on Monday-Friday from 7:00am to 3:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached at (571) 272-4090.

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LR

  
**JOSEPH FEILD**  
**SUPERVISORY PATENT EXAMINER**